GOVERNMENT OF INDIA
AGRICULTURE
LOK SABHA

UNSTARRED QUESTION NO:3560
ANSWERED ON:07.04.2003
AMENDMENT IN DRAFT SEEDS ACT, 2000
GADDE RAMAMOHAN;M. JAGANNATH;M.V.V.S MURTHI

Will the Minister of AGRICULTURE be pleased to state:

(a) whether some State Governments requested to the Union Government for introducingcertain amendments to the draft Seeds Act, 2000;

(b) if so, the details of the suggestions given by the State Governments, State-wise;

(c) the details of amendments proposed by the State Government of Andhra Pradesh; and

(d) by when the said draft Act is likely to be introduced?

Answer

MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI HUKUMDEO NARAYAN YADAV)

(a): Yes, Sir.

(b): The details are enclosed at Annexure-I.

(c): The details are enclosed at Annexure-II.

(d): The draft Seeds Bill has been submitted to the Ministry of Law for vetting.

Annexure-I

Consolidated details of suggestions given by the State Govts. state-wise

Delhi

The provision available in the present Seeds Act and Seeds (Control) Order with regards toregulating the sale and quality control of seeds are to be included in the proposed Seeds Act as such.

Harayana

Provision is to be incorporated for issuing licence to the person who is handling agriculture inputs including seeds.

Himachal Pradesh

Licence fee, renewal fee, penalty for not renewing the licence in time under Seeds (Control)Order are to be increased to the tune of Rs. 1500/-, Rs. 500/- and Rs. 250/- from Rs. 50/-, Rs. 20/- and Rs. 25/- respectively.

Karanataka

- State Seed Board has to be created
- Definition of seed development should include varietal development.
- Registration of variety should be based on VCU test
- ICAR institutes, State Agricultural University, private and public sectors are to be accredited to conduct VCU test.
- Seed health has to be elaborated as free from designated pests and diseases.
- Power to be decentralised to cancel the registration by the State Govt.
- Maintenance of register and records by the dealer should be dealt as per the direction of State Govt./Board.
- While directing the dealer to sell the seed, any losses occurred during the distribution of seed by
- the agency should be made good by the Govt.
- State Govt. should maintain the list of registered seed dealers and seed producers at district level.
- Lot numbers are to be furnished in the cash receipt.
- Principle certificate to be issued.
- State Govt. may be permitted to use low germination seed in case of shortage for multiplication purpose.
- Appeal is to be disposed within 45 days.
- No prosecution should be launched on State Govt. officials who is on deputation to Seeds Corporation and other organisation without prior permission of the State Govt.

- Imported seed should undergo three years trial
- Exemption clause to be deleted
- Major and minor offences to be defined
- Application fee for certification is to be increased
- Time limit for testing the seed under Seeds (Control) Order to be modified as within 30 to 60 days.
- Licence fee under Seeds (Control) Order should be increased from Rs. 50 to Rs. 100/-.

Madhya Pradesh

Criteria for registering the variety are to be prescribed in consultation with the State Govt.

Maharashtra

- Definitions on agriculture, seed analyst, seed producer, self-certification, truthful label or labelled seed are to be defined.
- Transfer of new process and procedure in processing and packing are to be incorporated.
- Provision for re-registration should be included.
- Maximum variation with regards to moisture while packing the seed should be incorporated.
- Power to be extended to State Govt. and National Seeds Board to oversea the maintenance of books, accounts, etc. relating to seed production and distribution.
- Self-certification for production of foundation seed should not be considered.
- Seed certification should be made compulsory in the event of introducing self-certification.
- Appellate authority should deal all aspects of dispute arising during seed production.
- Procedure to be followed by Seed Inspector should be incorporated.
- Provision for seed analyst to be incorporated.
- Recognisation of seed certification agencies of foreign countries should be incorporated.
- Delegation of powers to State Govt. to relax the standard to be considered.

Orissa

Director of Horticulture, Orissa stated that the revised Seeds Act embraces into its fold, the mostessential aspect to evolve a workable Seeds Act which is very exhaustive and leaves no room for views and recommendations.

Punjab

Director of Horticulture of the State should be included as a member in the proposed National Seeds Board.

Pondicherry

- Seeds Act and Seeds (Control) Order are to be subsumed.
- Appointing two types of Seed Inspectors for Seeds Act and Seeds (Control) Order are to be merged.
- Definition on agriculture should include horticulture and medicinal plants.
- Traditional strains which are not claimed as variety and whose pedigree is not known may be exempted from registration.
- Issuing licence for selling the seed may be considered.
- Power to be given to National Seeds Board/State Govt. to direct the dealer to sell the seed in a specified manner.
- Dealer should display the stock etc.
- Provision of self-certification should not be considered.

Rajasthan

- Act should ensure the availability of genetically and physically pure seed.
- Registration should be based DUS testing.
- Breeder seeds are to be brought under the purview of legislation with prescribed standards.
- Certification Inspectors are also to be nominated to draw samples for implementation of seed law enforcement.
- Forms to be used by the Seed Inspectors for seed law enforcement should be updated.
- There should not be any discrepancy in the standard for labelling and certifying the seed.
- All seed testing lab should follow the guidelines of ISTA.
- Grow-out test procedures are to be updated.
- CSTL is to be equipped with grow-out testing facilities.
- A legal cell should be established to handle the prosecution matters.

Tamil Nadu

- Definition of agriculture should include fodder, green manure, horticulture, forestry, medicinal and aromatic plants.
- Definition on certification agency
- Definition on misbranded seed
- Accreditation of seed certification agency may be deleted.
- Accreditation of state seed testing laboratory to be modified as per the State Govt. procedure.
- Registration of kind/variety is to be based on VCU test and accreditation of institute for conducting VCU test.
- Exclusion of certain kind/variety from registration.
- Power to specify minimum limit of germination and purity.
- Power of deregistration
- Regulation of sale of seed
- Maintenance of list of dealers and seed producers.
- Dealers to follow procedure
- Grant of certificate by certification agency

Penalty

West Bengal

- Act should be implemented throughout the country instead of mentioning as `Act will be implemented for different date and different areas etc.`
- Director of Agriculture, Horticulture, Certification Agency, Seeds Corporation of the State Govt. are to be included as member in the Board.
- Self-certification should not be considered.
- State Seed Board is to be considered
- Power to be given to State Seed Board for export and import of seeds.
- Recommendation of National Seeds Board is obligatory for establishment of State Seed Testing Laboratory.
- Registration of variety based on multilocational trials and minikit trials etc.
- State Agricultural Universities are also to be accredited for conducting VCU trials.
- National Seeds Board should act on the basis of State Seed Board for directing the producer/dealer who sell the seed.
- Exemption of farmers who sell the seed to be deleted.
- State Seed Certification Agency has to be encouraged.

Suggestions have not been received from other State Governments.

Annexure-II

Consolidated details of amendments proposed by the Govt. of Andhra Pradesh

- The word `production` has to be incorporated in the Act as Act to provide for regulating the `production`, the sale, import and export of seeds.
- Establishment of State Seed Board should be incorporated.
- Power to direct a dealer to sell or distribute seed in a specified manner should be defined.
- Maintenance of list of dealers, seed producers by way of issuance of registration certificate by competent authority of State Government should be incorporated.
- Seed dealers to have a minimum degree in agriculture should be incorporated.
- Dealers to follow procedure i.e. issue of cash or credit memo containing germination percentage and its validity may be deleted.
- Producers to furnish the information on seed production programme.
- Period of registration of kind/variety should be defined.
- State Government to establish enforcement mechanism for implementation of the Act.
- Description of major and minor offences should be defined.
- To award compensation to the affected farmers in case of supply of spurious seed/losses are to be incorporated.